

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

In re:

Case No: 17-bk-03148-CCJ  
Chapter 13

RENEE ELIZABETH SMITH,  
Debtor.

\_\_\_\_\_ /

**AMENDED CHAPTER 13 PLAN**

**CHECK ONE:**

\_\_\_\_\_ Debtor<sup>1</sup> certifies that the Plan does not deviate from the model plan adopted by the Court at the time of the filing of this case. Any nonconforming provisions are deemed stricken.

☒ The Plan contains provisions that are specific to this Plan in paragraph 9, Nonconforming Provisions. Any nonconforming provision not set forth in paragraph 9 is deemed stricken.

**1. MONTHLY PLAN PAYMENTS.** Plan payments include the Trustee's fee of 10% and shall begin 30 days from petition filing/conversion date. Debtor shall make payments to the Trustee for the period of 60 months. If the Trustee does not retain the full 10%, any portion not retained will be disbursed to allowed claims receiving payment under the plan and may cause an increased distribution to the unsecured class of creditors:

(A) \$133.00.00 for month 1 (May, 2017) through 5 (Sept., 2017)

(B) \$405.00 for month 6 (Oct., 2017)

(C) \$441.00 for months 7 (Nov., 2017) through 60 (April, 2022)

To pay the following creditors:

**2. ADMINISTRATIVE ATTORNEY'S FEES.**

**Base Fee \$4,500.00    Total Paid Prepetition \$1,810.00    Balance Due \$2,690.00**

**Loan Modification: \$0.00    Total Paid Prepetition: \$ 0.00    Balance Due \$0.00**

**Estimated Additional Fees Subject to Court Approval \$ \_\_\_\_\_**

**Attorney's Fees Payable through Plan \$\* Monthly**

\*see attached spreadsheet, subject to future modification until all fees above are paid in full

\_\_\_\_\_  
<sup>1</sup> All references to "Debtor" include and refer to both of the debtors in a case filed jointly by two individuals.

**3. PRIORITY CLAIMS (as defined in 11 U.S.C. § 507).**

<b>Last 4 digits of Acct. No.</b>	<b>Creditor</b>	<b>Total Claim</b>
9224	INTERNAL REVENUE SERVICE	1,600.00 @ 4.0%

\*see attached spreadsheet/represents liability resulting from exam by the IRS for year ending 2012 in the amount of \$1000.00 and liability for 2016 recently filed in the amount of \$600.00

**4. TRUSTEE FEES.** Trustee shall receive a fee from each payment received, the percentage of which is fixed periodically by the United States Trustee.

**5. SECURED CLAIMS.** Pre-confirmation payments allocated to secured creditors under the Plan, other than amounts allocated to cure arrearages, shall be deemed adequate protection payments.

**(A) Claims Secured by Real Property Which Debtor Intends to Retain/ Mortgage Payments and Arrears, if any, Paid through the Plan.** If the Plan provides for curing prepetition arrearages on a mortgage, Debtor will pay, in addition to all other sums due under the proposed Plan, all regular monthly postpetition mortgage payments to the Trustee as part of the Plan. These mortgage payments, which may be adjusted up or down as provided for under the loan documents, are due beginning the first due date after the case is filed and continuing each month thereafter. The Trustee shall pay the postpetition mortgage payments on the following mortgage claims:

<b>Last 4 Digits of Acct. No.</b>	<b>Creditor</b>	<b>Collateral Address</b>	<b>Reg. Mo. Pmt.</b>	<b>Gap Pmt.</b>	<b>Arrears</b>

**(B) Claims Secured by Real Property/Debtor Intends to Seek Mortgage Modification.** Pending the resolution of a mortgage modification request, Debtor shall make the following adequate protection payments to the Trustee: (1) for *homestead* property, the lesser of 31% of gross disposable monthly income of Debtor and non-filing spouse, if any (after deducting homeowners association fees), or the normal monthly contractual mortgage payment, or (2) for *non-homestead*, income-producing property, 75% of the gross rental income generated from the property:

<b>Last 4 Digits of Acct. No.</b>	<b>Creditor</b>	<b>Collateral Address</b>	<b>Pmt. Amt.</b>
			*

**(C) Claims Secured by Real Property or Personal Property to Which Section 506 Valuation APPLIES.** Under 11 U.S.C. § 1322(b)(2), this provision does not apply to a claim secured solely by Debtor's principal residence. A separate motion to determine secured status or to value the collateral must be filed. The secured portion of the claim, estimated below, shall be paid:

Last 4 Digits of Acct. No.	Creditor	Collateral Desc./Address	Claim Amt.	Value	Pmt.	Int. @ %

**(D) Claims Secured by Real Property and/or Personal Property to Which Section 506 Valuation DOES NOT APPLY.** Claims of the following secured creditors shall be paid in full with interest:

Last 4 Digits of Acct. No.	Creditor	Collateral Desc./Address	Claim Amt.	Pmt.	Int. @ %
none	RESERVE AT OCOEE HOA	1024 ROYAL MARQUIS CIRCLE, OCOEE, FL 34761	10,754.11	*	10.0

\*see attached spreadsheet/Debtor has sent a request for Creditor to accept 10% interest

**(E) Claims Secured by Personal Property – Maintaining Regular Payments and Curing Arrearages, if any, with All Payments in Plan.**

Last 4 Digits	Creditor	Collateral Description	Regular Pmt.	Arrearages

**(F) Secured Claims/Lease Claims Paid Direct by Debtor.** The following secured claims/lease claims are being made via automatic debit/draft from Debtor's depository account and are to continue to be paid direct to the creditor or lessor by Debtor outside the Plan via automatic debit/draft. The automatic stay is terminated *in rem* as to Debtor and *in rem* and *in personam* as to any codebtor as to these creditors and lessors upon the filing of this Plan. Nothing herein is intended to terminate or abrogate Debtor's state law contract rights. (Note: The Plan must provide for the assumption of lease claims that Debtor proposes to pay direct in the Lease/Executory Contract Section 6 below.)

Last 4 Digits of Acct. No.	Creditor	Property/Collateral
0120	OCWEN LOAN SERVICING	1024 ROYAL MARQUIS CIRCLE OCOEE, FL 34761

**(G) Liens to be Avoided per 11 U.S.C. § 522/Stripped Off per 11 U.S.C. § 506.** A separate motion to avoid a lien under § 522 or to determine secured status and to strip a lien under § 506 must be filed.

Last 4 Digits of Acct. No.	Creditor	Collateral Desc./Address

**(H) Surrender of Collateral/Leased Property.** Debtor will surrender the following collateral/leased property. The automatic stay is terminated in rem as to Debtor and in rem and in personam as to any codebtor as to these creditors and lessors upon the filing of this Plan. (Note: The Plan must provide for the rejection of lease claims in the Lease/Executory Contract section below.)

Last 4 Digits of Acct. No.	Creditor	Property/Collateral Surrendered
1951	Fannie Mae	Lamplighter Way, Orlando,

**(I) Other Secured Claims.** Debtor does not intend to make payments to the following secured creditors. The automatic stay is terminated in rem as to Debtor and *in rem* and *in personam* as to any codebtor with respect to these creditors. Debtor's state law contract rights and defenses are neither terminated nor abrogated.

Last 4 Digits of Acct. No.	Creditor	Property/Collateral Surrendered

**6. LEASES/EXECUTORY CONTRACTS.**

Last 4 Digits of Acct. No.	Creditor	Property	Assume/ Reject-Surrender	Est. Arrears

**7. GENERAL UNSECURED CREDITORS.** General unsecured creditors with allowed claims shall receive a pro rata share of the balance of any funds remaining after payments to the above referenced creditors or shall otherwise be paid under a subsequent Order Confirming Plan. The estimated dividend to unsecured creditors shall be no less than \$\_\_\_\_\_.

**8. ADDITIONAL PROVISIONS:**

- (A) Secured creditors, whether or not dealt with under the Plan, shall retain the liens securing such claims:
- (B) Payments made to any creditor shall be based upon the amount set forth in the creditor's proof of claim or other amount as allowed by an Order of the Bankruptcy Court.
- (C) Property of the estate (check one)\*

(1) \_\_\_\_\_ shall not vest in Debtor until the earlier of Debtor's discharge or dismissal of this case, unless the Court orders otherwise; or

(2)   X   shall vest in Debtor upon confirmation of the Plan.

\*If Debtor fails to check (a) or (b) above, or if Debtor checks both (a) and (b), property of the estate shall not vest in Debtor until the earlier of Debtor's discharge or dismissal of this case, unless the Court orders otherwise.

(D) The amounts listed for claims in this Plan are based upon Debtor's best estimate and belief and/or the proofs of claim as filed and allowed. The Trustee shall only pay creditors with filed and allowed proof of claims. An allowed proof of claim will control, unless the Court orders otherwise.

(E) The Debtor may attach a summary or spreadsheet to provide an estimate of anticipated distributions. The actual distributions may vary. If the summary or spreadsheet conflicts with this Plan, the provisions of the Plan control prior to confirmation, after which time the Order Confirming Plan shall control.

(F) Debtor shall timely file all tax returns and make all tax payments and deposits when due. (However, if Debtor is not required to file tax returns, Debtor shall provide Trustee with a statement to that effect.) For each tax return that becomes due after the case is filed, Debtor shall provide a complete copy of the tax return, including business returns if Debtor owns a business, together with all related W-2s and Form 1099s, to the Trustee within 14 days of filing the return. Unless otherwise ordered by the Court, Debtor shall turn over to the Trustee all tax refunds in addition to regular Plan payments. Debtor shall not instruct the Internal Revenue Service or other taxing agency to apply a refund to the following year's tax liability. **Debtor shall spend no tax refunds without prior court approval.**

9. **NONCONFORMING PROVISIONS: MONITORING FEE OF \$50.00 PER MONTH TO BRANSONLAW BEGINNING MONTH 7**

*Kerac Smith*  
Debtor

Dated: 8/22/2017

/s/ Robert B. Branson  
Robert B. Branson, Esquire  
Florida Bar No.: 800988

/s/ Robert B. Branson

Robert B. Branson, Esquire

Florida Bar No.: 800988

E-mail: *robert@bransonlaw.com*

**BransonLaw PLLC**

1501 E. Concord Street

Orlando, Florida 32803

Telephone: (407) 894-6834

Facsimile: (407) 894-8559

Attorney for Debtor

Smith, R		DUE DATE																		
		5/24/2017				10.0%														
		Unsecured			Debtor Pmt	Tee Fee			ATTY			MONITOR				OCWEN				
	60	60																		
5/24/2017	1	\$0.00			\$133.00	\$13.30			\$90.23					1	at	pd direct				
6/24/2017	2	\$0.00			\$133.00	\$13.30			\$90.23											
7/24/2017	3	\$0.00			\$133.00	\$13.30			\$90.23											
8/24/2017	4	\$0.00			\$133.00	\$13.30			\$90.23											
9/24/2017	5	\$0.00	5	at	\$133.00	\$13.30	5	at	\$90.23											
10/24/2017	6	\$0.00	1	at	\$405.00	\$40.50	1	at	\$90.03	6	at									
11/24/2017	7	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
12/24/2017	8	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
1/24/2018	9	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
2/24/2018	10	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
3/24/2018	11	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
4/24/2018	12	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
5/24/2018	13	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
6/24/2018	14	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
7/24/2018	15	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
8/24/2018	16	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
9/24/2018	17	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
10/24/2018	18	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
11/24/2018	19	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
12/24/2018	20	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
1/24/2019	21	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
2/24/2019	22	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
3/24/2019	23	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
4/24/2019	24	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
5/24/2019	25	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
6/24/2019	26	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
7/24/2019	27	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
8/24/2019	28	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
9/24/2019	29	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
10/24/2019	30	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
11/24/2019	31	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
12/24/2019	32	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
1/24/2020	33	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
2/24/2020	34	\$0.00			\$441.00	\$44.10			\$72.43			50.00								
3/24/2020	35	\$0.00			\$441.00	\$44.10	29	at	\$72.43			50.00								
4/24/2020	36	\$24.08			\$441.00	\$44.10	1	at	\$48.35			50.00								
5/24/2020	37	\$72.43			\$441.00	\$44.10						50.00								
6/24/2020	38	\$72.43			\$441.00	\$44.10						50.00								
7/24/2020	39	\$72.43			\$441.00	\$44.10						50.00								
8/24/2020	40	\$72.43			\$441.00	\$44.10						50.00								
9/24/2020	41	\$72.43			\$441.00	\$44.10						50.00								
10/24/2020	42	\$72.43			\$441.00	\$44.10						50.00								
11/24/2020	43	\$72.43			\$441.00	\$44.10						50.00								
12/24/2020	44	\$72.43			\$441.00	\$44.10						50.00								
1/24/2021	45	\$72.43			\$441.00	\$44.10						50.00								
2/24/2021	46	\$72.43			\$441.00	\$44.10						50.00								
3/24/2021	47	\$72.43			\$441.00	\$44.10						50.00								
4/24/2021	48	\$72.43			\$441.00	\$44.10						50.00								
5/24/2021	49	\$72.43			\$441.00	\$44.10						50.00								
6/24/2021	50	\$72.43			\$441.00	\$44.10						50.00								
7/24/2021	51	\$72.43			\$441.00	\$44.10						50.00								
8/24/2021	52	\$72.43			\$441.00	\$44.10						50.00								
9/24/2021	53	\$72.43			\$441.00	\$44.10						50.00								
10/24/2021	54	\$72.43			\$441.00	\$44.10						50.00								
11/24/2021	55	\$72.43			\$441.00	\$44.10						50.00								
12/24/2021	56	\$72.43			\$441.00	\$44.10						50.00								
1/24/2022	57	\$72.43			\$441.00	\$44.10						50.00								
2/24/2022	58	\$72.43			\$441.00	\$44.10						50.00								
3/24/2022	59	\$72.43			\$441.00	\$44.10						50.00								
4/24/2022	60	\$72.43	54	at	\$441.00	\$44.10				54	at	50.00								
		\$1,762.40			\$24,884.00	\$2,488.40			\$2,690.00			\$2,700.00								
									\$2,690.00			\$1,500.00								
		#DIV/0!																		

[illegible]



Label Matrix for local noticing  
113A-6  
Case 6:17-bk-03148-CCJ  
Middle District of Florida  
Orlando  
Tue Aug 22 16:20:59 EDT 2017

Federal National Mortgage Association  
c/o Popkin & Rosaler, P.A.  
1701 W. Hillsboro Blvd. Suite 400  
Deerfield Beach, FL 33442-1572

Renee Elizabeth Smith  
1024 Royal Marquis Circle  
Ocoee, FL 34761-9196

The Reserve at Ocoee Homeowners Association,  
The Association Law Firm, PLLC  
135 W. Central Blvd., Suite 1150  
Orlando, FL 32801-2479

U.S. Bank National Association  
Robertson, Anschutz & Schneid, P.L.  
6409 Congress Avenue, Suite 100  
Boca Raton, FL 33487-2853

Ability Recovery Servi  
Po Box 4031  
Wyoming, PA 18644-0031

Altair OH XIII, LLC  
C O WEINSTEIN & RILEY, PS  
2001 WESTERN AVENUE, STE 400  
SEATTLE, WA 98121-3132

American Profit Recovery  
34405 West 12 Miles Road #333  
Farmington Hills, MI 48331-5608

Business Revenue Syste  
2419 Spy Run Ave  
Ste B  
Fort Wayne, IN 46805-3262

Chase Card Services  
Correspondence Dept  
Po Box 15278  
Wilmington, DE 19850-5278

Florida Department of Revenue  
Bankruptcy Unit  
Post Office Box 6668  
Tallahassee FL 32314-6668

Florida Housing Finance Corp  
Attn.: Homeownerships Progra  
227 North Bronought Street  
Suite 5000  
Tallahassee, FL 32301-1367

Internal Revenue Service  
PO Box 7346  
Philadelphia, PA 19101-7346

Ocwen Loan Servicing  
Attn: Research Dept  
1661 Worthington R Ste 100  
West Palm Beach, FL 33409-6493

OneMain Financial  
PO BOX 3251  
EVANSVILLE, IN 47731-3251

Orange County Tax Collector  
PO Box 545100  
Orlando FL 32854-5100

Plain Green Loans  
93 Mack Rd Ste 600  
Po Box 270  
Box Elder, MT 59521-0270

(p)PORTFOLIO RECOVERY ASSOCIATES LLC  
PO BOX 41067  
NORFOLK VA 23541-1067

Professional Adjmnt Co  
14410 Metropolis Ave  
Fort Myers, FL 33912-4341

Quantum3 Group LLC as agent for  
MOMA Funding LLC  
PO Box 788  
Kirkland, WA 98083-0788

Reserve at Ocoee  
1645 East Highway 50  
Suite 201  
Clermont, FL 34711-5199

Revmd  
1111 Pasquinelli Dr.  
Westmont, IL 60559-1241

Seterus Inc  
14523 Sw Millikan Way St  
Beavertton, OR 97005-2352

(p)SPRINGLEAF FINANCIAL SERVICES  
P O BOX 3251  
EVANSVILLE IN 47731-3251

The Reserve at Ocoee HOA  
Stacey N. Jiunto  
The Association Law Firm, PLLC  
135 W. Central Blvd., Suite 1150  
Orlando, FL 32801-2479

Laurie K Weatherford +  
Post Office Box 3450  
Winter Park, FL 32790-3450

Robert B Branson +  
BransonLaw PLLC  
1501 E. Concord Street  
Orlando, FL 32803-5411

United States Trustee - ORL7/13 7+  
Office of the United States Trustee  
George C Young Federal Building  
400 West Washington Street, Suite 1100  
Orlando, FL 32801-2210

Brian L Rosaler +  
Popkin & Rosaler PA  
1701 West Hillsboro Boulevard  
Suite 400  
Deerfield Beach, FL 33442-1572

Stacey N Jiunto +  
The Association Law Firm, PLLC  
135 W Central Blvd Ste 1150  
Orlando, FL 32801-2479

April G Harriott +  
Roberson, Anschutz & Schneid, PL  
6409 Congress Avenue  
Boca Raton, FL 33487-2853

Note: Entries with a '+' at the end of the  
name have an email address on file in CMECF

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Portfolio Recovery  
Po Box 41067  
Norfolk, VA 23541

Springleaf Financial Services  
601 Nw 2nd Street  
Evansville, IN 47708

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d) Internal Revenue Service  
Post Office Box 7346  
Philadelphia PA 19101-7346

(u) Cynthia C. Jackson +  
Orlando

End of Label Matrix	
Mailable recipients	31
Bypassed recipients	2
Total	33